City of Morgantown Human Rights Commission

Minutes for Special Meeting December 2, 2013 – City Hall City Council Chambers

Present: Jan Derry, Vice Chair Bob Jones – Research Consultant

Mike Fike

Anne Marie Lofaso

Marlene Robinson-Savino, Secretary

Don Spencer, Chair Fran Whiteman

Visitors: Bill Kawecki, City councilor; Jeff Mikorski, City Manager

Meeting called to order by Don Spencer, Chair, at 12 noon at the City Hall Council Chambers. The single purpose for the meeting was to receive and act upon proposed resolutions for City Council and the legislature relating to 1) employment and housing non-discrimination and 2) marriage equality.

Public Session: No members of the public were present and wishing to speak.

Discussion to Confirm State Legislative Priorities: Copies of the resolutions were distributed to Commission members. Mike Fike raised the question whether due process had been followed in posting an agenda and resolutions sufficiently in advance to allow the meeting to comply with the Open Meetings Act. The City Clerk and the City Manager had both raised the issue with him prior to the meeting. Fike felt that it would be inappropriate for him to vote on the resolutions if the meeting was out of compliance.

Don Spencer reported that he had notified the City Clerk and the Publications Director about the plan for the meeting the previous week before the meeting as required, but that he had not sent an agenda document which could be posted until the previous day to the meeting. The meeting had been announced in advance in City publications, but no reference to the resolutions had been made.

Bill Kawecki recommended that the Commission follow due process to the letter. Mike Fike volunteered to determine whether the City Manager was available to be included in the discussion. City Manager Jeff Mikorski was available and provided details on compliance standards for the law and information on the schedule for City Council meetings and agenda for December and January.

Not wishing to risk challenges to the resolutions on procedural grounds, the Commission decided to take the safe route and to delay action until its regular meeting on December 19. Thereafter the resolutions, if approved, would be distributed to the City Council for deliberation at its January 28, 2014, Committee of the Whole meeting. Final action could thereby be taken in February regular Council meetings.

The wording of both resolutions was reviewed by Commission members. Appreciation was expressed for the thorough work which had been done in preparing the documents by Anne Marie Lofaso and Fran Whiteman.

The Commission discussed whether to have all members sign the resolutions or just the chair and secretary. It was finally agreed to proceed with all members being signatories in order to convey greater strength in the decision for council members and legislators.

The meeting was adjourned by the chair with the approval of the Commission at 1:20 p.m.

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